
UTAH LABOR COMMISSION

In the matter of:

**Applications By Hospitals For
Adjudication of Medical Fee Disputes.**

**ORDER GRANTING
MOTIONS FOR REVIEW**

ORDER OF REMAND

The Utah Labor Commission has received a large number of applications for hearing from various Utah hospitals. Each application asks the Commission to award payment to the hospital for medical care provided to an injured worker, pursuant to the Utah Workers' Compensation Act.

The hospitals' applications were assigned among the Commission's several Administrative Law Judges for hearing and decision. In each case, the ALJ dismissed the application *sua sponte* on the grounds the Commission lacked jurisdiction to adjudicate hospital fee disputes. The hospitals then filed motions asking the Commission to review the ALJs' decisions.

In LDS Hospital v. Sunrise Building Construction and Uninsured Employers Fund, Case No. 04-0908, issued January 30, 2006 (copy attached), the Commission has addressed the common issue presented by all the hospitals' motions for review—whether the Commission has jurisdiction to adjudicate hospital fee disputes. The Commission has concluded it does have such jurisdiction. In the interest of adjudicative efficiency, the Commission hereby applies its holding in LDS Hospital v. Sunrise Building Construction and Uninsured Employers Fund, Case No. 04-0908, to all similar cases now pending before the Commission, identified as follows:

<u>Name</u>	<u>Case No.</u>
McKay Dee Hospital v. Circle Industries	05-0996
LDS Hospital v. May Department Store	04-1108 & 04-1166
Cottonwood Hospital v. Meier and Frank	04-1197
LDS Hospital v. May Department Store	04-1106
Alta View Hospital v. AAA Cooling and Heating	04-1200
Utah Valley Regional Medical Center v. Greentree Trans.	04-1069
LDS Hospital v. Custom Deliveries	05-0132
Dixie Regional Medical Center v. South Investments	04-1190
McKay Dee Hospital v. B & B Auto	04-1184
LDS Hospital v. McPherson and Co.	04-0939
McKay Dee Hospital v. Bush Roofing	04-1185 & 05-0050
Cottonwood Hospital v. Sams Warehouse	04-1198
Cottonwood Hospital v. Top Stop	05-0041
Jordan Valley Hospital v. SCR Excavating	05-0296
LDS Hospital v. Northern Utah Door	05-0204
Sevier Valley Hospital v. Rocky Ford Navajo	05-0341
Utah Valley Regional Medical Center v. George Price Con.	05-0174

Orthopedic Specialty Hospital v. Taco Bell	05-0135
Dixie Regional Medical Center v. Snow Electric	04-1051
Jordan Valley Hospital v. Pemberton Builders	05-0294
Cottonwood Hospital v. Prime Machine	04-1171
McKay Dee Hospital v. Davis School District	04-1170
McKay Dee Hospital v. Nichols Photo Lab	05-0298
Logan Hospital v. UBC Construction	04-1212
Alta View Hospital v. Best Vinyl	04-1193
Utah Valley Regional Medical Center v. Grayson Printing	05-0133
Utah Valley Regional Medical Center v. Coachmens	05-0130
Cottonwood Hospital v. Norton Home Improvement	04-1209
Utah Valley Regional Medical Center v. United Airlines	05-0136
Jordan Valley Hospital v. Roland Bryant	04-1113
Delta Community Medical Center v. United Scaffolding	05-0153
Utah Valley Regional Medical Center v. Novatek	04-1192
Cottonwood Hospital v. Best Plumbing	04-1169
LDS Hospital v. City of Chula Vista	04-1187
Cottonwood Hospital v. LTI Trucking	05-0802
Delta Community Medical Center v. 3 D Cheeses	05-0918
Delta Community Medical Center v. 3 D Cheeses	05-0921
Delta Community Medical Center v. 3 D Cheeses	05-0920
Cottonwood Hospital v. MaClean Fogg Co.	05-0805
Dixie Regional Medical Center v. Kolab Care & Rehab	05-0923
Delta Community Medical Center v. 3 D Cheeses	05-0919
Cottonwood Hospital v. Ivory Homes	05-0922
Jordan Valley Hospital v. Maximo Drywall	05-0806
LDS Hospital v. Edwin & Martin Auto	05-0801
Sanpete Valley Hospital v. Silver Creek Computers	05-0995
McKay Dee Hospital v. Weber County School Dist.	04-1070

ORDER

The Commission grants the hospitals' motions for review in the above-listed cases, sets aside the ALJs' decisions in those cases, and remands the cases to the Adjudication Division for such proceedings as are necessary to adjudicate the underlying fee disputes. It is so ordered.

Dated this 24th day of February, 2006.

R. Lee Ellertson
Utah Labor Commissioner